

CHAPTER VIII—OFFICE OF INTERNATIONAL INVESTMENT, DEPARTMENT OF THE TREASURY

<i>Part</i>		<i>Page</i>
800	Regulations pertaining to mergers, acquisitions, and takeovers by foreign persons	1307

PART 800—REGULATIONS PERTAINING TO MERGERS, ACQUISITIONS, AND TAKEOVERS BY FOREIGN PERSONS

Subpart A—General

- Sec.
800.101 Scope.
800.102 Effect on other laws.
800.103 Prior acquisitions.
800.104 Transactions or devices for avoidance.

Subpart B—Definitions

- 800.201 Acquisition.
800.202 Affiliate.
800.203 Committee; Chairman of the Committee.
800.204 Control.
800.205 Conversion.
800.206 Convertible voting security.
800.207 Effective date.
800.208 Engage in.
800.209 Entity.
800.210 Foreign government.
800.211 Foreign interest.
800.212 Foreign national.
800.213 Foreign person.
800.214 Hold.
800.215 Parent.
800.216 A party or parties to an acquisition.
800.217 Person.
800.218 Section 721.
800.219 Solely for the purpose of investment.
800.220 United States.
800.221 United States national.
800.222 United States person.
800.223 Voting securities.

Subpart C—Coverage

- 800.301 Transactions that are acquisitions under section 721.
800.302 Transactions that are not acquisitions under section 721.
800.303 Lending transactions.

Subpart D—Notice

- 800.401 Procedures for notice.
800.402 Contents of voluntary notice.
800.403 Treatment of certain voluntary notices.
800.404 Beginning of thirty-day review period.

Subpart E—Committee Procedures: Review and Investigation

- 800.501 General.
800.502 Determination not to investigate.
800.503 Commencement of investigation.
800.504 Completion or termination of investigation and report to the President.
800.505 Withdrawal of notice.

Subpart F—Presidential Action

- 800.601 Statutory time frame, standards for Presidential action, and permissible actions under section 721.

Subpart G—Provision and Handling of Information

- 800.701 Obligation of parties to provide information.
800.702 Confidentiality.

APPENDIX A TO PART 800—PREAMBLE TO REGULATIONS ON MERGERS, ACQUISITIONS, AND TAKEOVERS BY FOREIGN PERSONS (PUBLISHED NOVEMBER 21, 1991)

APPENDIX B TO PART 800—PREAMBLE TO REGULATIONS ON MERGERS, ACQUISITIONS, AND TAKEOVERS BY FOREIGN PERSONS (PUBLISHED MAY 25, 1994)

AUTHORITY: Section 721 of Pub. L. 100-418, 102 Stat. 1107, made permanent law by section 8 of Pub. L. 102-99, 105 Stat. 487 (50 U.S.C. App. 2170) and amended by section 837 of the National Defense Authorization Act for Fiscal Year 1993, Pub. L. 102-484, 106 Stat. 2315, 2463; E.O. 12661, 54 FR 779, 3 CFR, 1988 Comp., p. 618.

SOURCE: 56 FR 58780, Nov. 21, 1991, unless otherwise noted.

Subpart A—General

§ 800.101 Scope.

The regulations in this part implement section 721 of title VII of the Defense Production Act of 1950, hereinafter referred to as “section 721” (see § 800.216 of this part). The definitions in this part are applicable to section 721 and these regulations. The principal purpose of section 721 is to authorize the President to suspend or prohibit any merger, acquisition, or takeover, by or with a foreign person, of a person engaged in interstate commerce in the United States when, in the President's view, the foreign interest exercising control over that person might take action that threatens to impair the national security. In addition, section 721 authorizes the President to seek divestment or other appropriate relief in the case of concluded transactions.

§ 800.102 Effect on other laws.

Nothing in this part shall be construed to alter or affect any existing power, process, regulation, investigation, enforcement measure, or review provided by any other provision of law.